EMILE A. DAVIS, ESQ. – BAR NO. 208394 1 GRANTED JENNIFER S. PRUSAK, ESQ. – BAR NO. 2266889 WINER, McKENNA & DAVIS, LLP 2 LAKE MERRITT PLAZA 1999 HARRISON STREET, SUITE 600 3 OAKLAND, CALIFORNIA 94612 Judge James TEL (510) 433-1000 4 FAX (510) 433-1001 Email: emile@wmdattorneys.com 5 iennifer @wmdattorneys.com 6 DISTRIC Attorneys for Plaintiff, 4/11/2008 PAUL GORDON 7 UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA 10 PAUL GORDON CASE NO. C07 02628 11 Plaintiff. 12 STIPULATION OF DISMISSAL 13 VS. TRANSPORTATION SECURITY 14 ADMINISTRATION; MICHAEL CHERTOFF, SECRETARY, DEPARTMENT 15 OF HOMELAND SECURITY; AND DOES 1 TO 25, INCLUSIVE, 16 Defendants. 17 18 IT IS HEREBY STIPULATED by and between the parties to this action through their 19 designated counsel that the above-captioned action be and hereby is dismissed with prejudice 20 pursuant to FRCP 41 (a)(1) and that each party is to bear their own fees and costs. 21 22 23 Attorney for Plaintiff, PAUL GORDON Assistant United States Attorney 24 Attorneys for Defendants, Transportation Security Administration; Michael Chertoff, Secretary, Department of Homeland Security 25 Dated: 4-1-0 26 Dated: 27 IT IS SO ORDERED: The Court terminates all pending deadlines, hearing and motions. The Clerk shall close this file. 28 Dated: April 11, 2008 STIPULATION OF DISMISSAL

Filed 04/11/2008

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PROOF OF SERVICE

I, the undersigned, declare that I am employed in the City of Oakland and County of Alameda, California. My business address is Lake Merritt Plaza, 1999 Harrison Street, Suite 600, Oakland, California 94612. I am over the age of eighteen (18) years and am not a party to the within action.

On April 9, 2008, I served the attached:

## STIPULATION OF DISMISSAL

[XX] VIA United States Postal Service.

By depositing for collection and mailing, following the business practice at my place of business for collection and processing of documents for mailing with the United States Postal Service. Documents so collected and processed, with postage fully prepaid, will be deposited with the United States Postal Service that same day in the ordinary course of business.

[ ] VIA Overnight Mail Service.

By causing a true copy thereof, enclosed in a sealed envelope, to be delivered via overnight mail courier.

12 Addressed to:

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13 Scott N. Schools, United States Attorney

Joann M. Swanson, Chief, Civil Division

14 James A. Scharf, Assistant United States Attorney

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16 James.scharf@usdoj.gov

Attorneys for Defendants, Transportation Security Administration;

Michael Chertoff, Secretary, Department of Homeland Security

I declare under penalty of perjury under the laws of the State of California that the foregoing

is true and correct.

Executed on April 9, 2008, at Oakland, California

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